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VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF PORTSMOUTH

TERESA R. DIDIO,

Plaintiff

CASE NO. CL21-000001

v.

DELHAIZE AMERICA,
d/b/a FOOD LION, LLC

Serve: Corporation Service Company, Registered Agent
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219

Defendant.

COMPLAINT

TAKE NOTICE that the undersigned hereby moves the Circuit Court of the City of Portsmouth, Virginia, at the courthouse thereof, for a judgment and award against you for the sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) with interest and costs for the following, to-wit:

1. The defendant, Delhaize America, d/b/a Food Lion, LLC (hereinafter referred to as "Food Lion"), is a corporation authorized to do business in the Commonwealth of Virginia with a place of business in Portsmouth, Virginia.

2. On the 19th day of June, 2019, the plaintiff, TERESA R. DIDIO, was lawfully on the premises of the defendant Food Lion located at 5734 Churchland Boulevard, Portsmouth, Virginia.

3. On that date, the defendant Food Lion, owned, leased, maintained and controlled the said premises.

4. Defendant owed plaintiff a duty to exercise reasonable care for her safety.

5. On that date, plaintiff slipped and fell on an accumulation of water at the defendant Food Lion's premises causing injury and damage.

6. Defendant was negligent in one or more of the following respects, including, but not limited to:

a. Permitted an accumulation of water to be on the floor of its premises when it knew or should have known that it created an unreasonable risk of injury.

b. Failed to warn the plaintiff of the accumulation of water.

c. Failed to exercise reasonable care for the safety of the plaintiff.

7. That as a direct and proximate result of the defendant's negligence and recklessness, the plaintiff was seriously and permanently injured.

8. That these injuries to the plaintiff and the shock resulting from the accident have caused past, present and future pain and suffering, both mental and physical, and these injuries have required the plaintiff to expend large sums of money for past, present and future medical care.

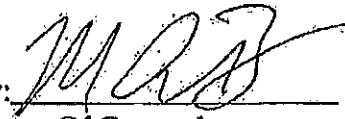
9. That the aforesaid injuries will continue to disable plaintiff from all other activities formerly associated with her person and station in life.

10. The plaintiff has also been caused to lose time from work and engaging in any productive occupation and has suffered and will continue to suffer loss of earnings and wages.

11. WHEREFORE, the plaintiff moves this Court for a judgment and award

against you for the sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00), with interest and costs, including pre-judgment and post-judgment interest as provided by law.

TERESA R. DIDIO

By: 
Of Counsel

M. Andrew Boran, Esquire
RUTTER MILLS, LLP
160 W. Brambleton Avenue
Norfolk, VA 23510
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COMMONWEALTH OF VIRGINIA



SUMMONS – CIVIL ACTION

RULE 3:5; VA. CODE § 8.01-2

Case No. CL21000001-00

PORTSMOUTH Circuit Court
1345 COURT STREET, PORTSMOUTH
ADDRESS

TO:

DELHAIZE AMERICA, CORPORATION SERVICE CO. R/A
100 SHOCKOE SLIP, 2ND FLOOR

RICHMOND, VA 23219

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia.

JANUARY 4, 2021 MORRISON, CYNTHIA P. Clerk
DATE

by /S/ ALI-SHAHBAAZ, CYNTHIA
DEPUTY CLERK

Instructions:

Hearing Official:

SERVED BY: H.S.I - 757.868.5833
REGISTERED AGENT
DELHAIZE AMERICA, CORP SE
476346- 1



Notice of Service of Process

AST / ALL
Transmittal Number: 22544183
Date Processed: 01/11/2021

Primary Contact: Nykema R Alexander
Delhaize America
2110 Executive Dr
Salisbury, NC 28147-9007

Electronic copy provided to: Sandy Carter
Wendy Higdon

| | |
|----------------------------------|---|
| Entity: | Delhaize America, LLC Entity ID Number 2030214 |
| Entity Served: | Delhaize America |
| Title of Action: | Teresa R. Didio vs. Delhaize America, d/b/a Food Lion, LLC |
| Matter Name/ID: | Teresa R. Didio vs. Delhaize America, d/b/a Food Lion, LLC (10811982) |
| Document(s) Type: | Summons/Complaint |
| Nature of Action: | Personal Injury |
| Court/Agency: | Portsmouth City Circuit Court, VA |
| Case/Reference No: | CL2100000-00 |
| Jurisdiction Served: | Virginia |
| Date Served on CSC: | 01/11/2021 |
| Answer or Appearance Due: | 21 Days |
| Originally Served On: | CSC |
| How Served: | Personal Service |
| Sender Information: | M. Andrew Boran 757-622-5000 |

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com